

THE STATE OF NEVADA

PERMIT TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of applicant: RAINBOW CANYON RANCH, LLC
JOHN & KAREN DURKIN AND JOHN DEAN HARPER

Source: UNDERGROUND

Basin: LAS VEGAS VALLEY

Manner of Use: QUASI-MUNICIPAL

Period of Use: January 1st to December 31st

Priority Date: 11/06/1944

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 73425 is issued subject to the terms and conditions imposed in said Permit 73425 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

This permit is issued for quasi-municipal purposes for proposed bar, restaurant, offices, and motel operations on the parcel identified by the Clark County Assessor as APN 191-19-301-001.

The point of diversion and place of use are as described on the submitted application to support this permit.

(Continued on Page 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **and not to exceed 0.0552 cubic feet per second or 40.0 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

December 26, 2009

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

December 26, 2011

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 26th day of **December**, A.D. **2008**

R. Hill P.E.

for State Engineer

Completion of work filed Dec. 20, 2010

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS
OF THE STATE OF NEVADA HERETOFORE APPROPRIATED**

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office FEB 13 2008

Returned to applicant for correction FEB 19 2008

Corrected application filed FEB 25 2008 Map filed FEB 25 2008

The applicant..RAINBOW CANYON RANCH, LLC, JOHN & KAREN DURKIN AND JOHN DEAN HARPER
.....10225 SCHUSTER STREET...of..LAS VEGAS

...NEVADA, 89141..., hereby makes application for permission to change the

☒ Point of diversion

☒ Place of use

☐ Manner of use

☒ of a portion

of water heretofore appropriated under..PERMIT 73425.

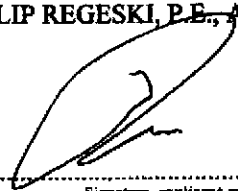
1. The source of water is.....UNDERGROUND
2. The amount of water to be changed...0.0552 CFS, FORTY (40) ACRE-FEET
3. The water to be used for... QUASI-MUNICIPAL PURPOSES
4. The water heretofore used for.. QUASI-MUNICIPAL PURPOSES
5. The water is to be diverted at the following point....WITHIN THE NW1/4 ~~SE~~1/4 OF SECTION 19, T23S, R61E, M.D.B.&M., OR AT A POINT FROM WHICH THE W1/4 CORNER OF SAID SECTION 19 BEARS N 12°40'W, A DISTANCE OF 573 FEET. SW⁺
6. The existing point of diversion is located within... THE NE1/4 SE1/4 OF SECTION 30, T22S, R61E, M.D.B.&M., OR AT A POINT FROM WHICH THE E1/4 CORNER OF SAID SECTION 30 BEARS N37°33'05"E A DISTANCE OF 1160.12 FEET. This
SEE original
7. Proposed place of use..... THE S1/2 NW1/4 NW1/4 SW1/4 OF SECTION 19, T23S, R61E, M.D.B.&M., CLARK COUNTY, NEVADA. APN 191-19-301-001.
8. Existing place of use... THE SW1/4 NE1/4 SE1/4 OF SECTION 30, T22S, R61E, M.D.B.&M, CLARK COUNTY, NEVADA.
9. Use will be from..JANUARY 1...to..DECEMBER 31...of each year.
10. Use permitted from...JANUARY 1...to..DECEMBER 31...of each year.
11. Description of proposed works. DIVERSION PIPE FROM WELL.
12. Estimated cost of works.....\$10,000.00
13. Estimated time required to construct works.... TWO YEARS
14. Estimated time required to complete the application of water to beneficial use.. SIX YEARS

15. Remarks: WATER TO BE USED FOR TAVERN, RESTAURANT, OFFICES, MOTEL, LANDSCAPING
AND CONSTRUCTION.

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...702-434-8515...

By. PHILLIP REGESKI, P.E., AGENT



Signature, applicant or agent

...10225 SCHUSTER STREET

...LAS VEGAS, NEVADA 89141

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

\$150 FILING FEE MUST ACCOMPANY APPLICATION

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